

# Expanding the Tools for Marine Conservation

## Leasing and Ownership of Submerged Lands

*Building on more than 50 years of expertise in land conservation, The Nature Conservancy is exploring how leasing and purchasing seascapes concealed within nearshore waters can enhance marine conservation efforts.*



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Hidden within our bays, estuaries and other nearshore waters lie forests of kelp, meadows of seagrass, and gardens of coral – underwater habitats not unlike those witnessed on land. Home to an abundance and diversity of fish and shellfish, these productive ecosystems nourish marine communities and provide valuable economic benefits as they host commercial fisheries, buffer shorelines, clean the water and support tourism and recreation. Yet centuries of human activity have made them some of the world's most threatened and degraded ecosystems.

With increasing pressures on our coasts, new and innovative approaches are needed to sustain the immense biological wealth found within nearshore waters. That is why The Nature Conservancy is taking successful strategies used on land – the acquisition and management of natural resources through ownership, easements and leases – and testing them in the sea.

*Certain conditions will lead to the successful lease or acquisition of submerged lands for conservation.*

**Identifying critical habitat** Knowledge about what makes some sites and habitat types more productive than others is essential for targeting a conservation leasing or acquisition program. The Conservancy is gathering such essential data through research on fish and shellfish nurseries – areas abundant in food and refuge for juveniles.

**Community involvement** Stakeholder involvement in identifying critical areas, threats and management options is essential to any conservation strategy. Management plans for leased or owned lands that allow for restoration and some harvest will likely strengthen community support.

**Supportive public policies** Policies that support conservation of submerged lands and their inclusion in comprehensive sea use plans are likely to strike a better balance between extraction and protection of the valuable resources contained in nearshore waters. The Conservancy has reviewed such policies throughout the United States and is working with selected states to achieve this balance.

**Affordable cost** Submerged lands are often less expensive than terrestrial lands, stretching limited funds for marine conservation further. Lower costs will enable those looking to protect such lands – often government and non-profit organizations – to compete with businesses and other interests.

**Shared knowledge** The Conservancy has acquired submerged lands in New York and Washington and is working to lease and acquire properties in other states and countries. Sharing lessons learned will enable other organizations to implement this approach, testing the power of this exciting new conservation tool.



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In places like Washington's Port Susan Bay, The Nature Conservancy is exploring how new approaches — such as purchasing submerged land and creating supportive coastal policies — may expand opportunities for protecting our important nearshore marine resources.

### Buying the bottom

For centuries, submerged lands have been bought, sold and leased. Every year, billions of dollars are spent to develop submerged lands for oil, marinas, docks, aquaculture and other economic activities. Submerged lands are available for lease and ownership in every coastal state in the United States and in many nations, and can cost as little as \$2 per acre. Equipped with this knowledge, The Nature Conservancy is developing and implementing strategies aimed at ensuring that conservation interests have the same access to submerged lands as business. Once purchased or leased, these parcels can be restored, managed sustainably or protected, just as it is done on land.

### Cultivating working examples

The Conservancy has been developing this strategy in-the-water at a number of places. In 2002, the First Republic Corporation donated 11,500 acres of the bottom of Great South Bay, located along Long Island, New York's southern shore. Since then the Conservancy formally organized local partners into the Bluepoints Bottomlands Council that will develop a plan to oversee the management and sustainable use of this underwater property valued at \$2.4 million and representing more than 25% of the bay. The resulting plan will also inform and catalyze the overall restoration of Great South Bay.

### Influencing public policy

The Conservancy is working with state policy makers to develop management alternatives that support the leasing and ownership of submerged lands for conservation. With input from the Conservancy, the Washington State Department of Natural Resources (WDNR) is crafting the nation's first state policy to designate leases explicitly for restoration and conservation of submerged lands. This policy will allow groups like The Nature Conservancy to use leasing to protect important shorelines and coastal areas from degradation. The Conservancy and WDNR are also developing a pilot agreement and outreach and training program to support the policy upon implementation.

### Examining international opportunities

While more analysis is needed, the Conservancy has learned of opportunities to own or lease submerged lands in other countries. In many Pacific Islands, submerged lands are owned by local communities and leased for commercial fishing and pearl harvesting. In Chile the government is granting marine concessions to support a growing salmon aquaculture industry. And a private organization in Tanzania leases and manages a small island and the surrounding coral reefs for conservation and ecotourism. Examples like these show promise for applying this approach to places outside of the United States.

### Building lasting results

The leasing or acquisition of submerged lands is an innovative strategy that, combined with other practices and widely disseminated to partners, could significantly affect marine conservation around the world. Holding an interest in land — submerged or otherwise — provides a seat at the table where local and regional decisions affecting critical habitat are made. Conserving nearshore ecosystems will improve water quality, protect wildlife habitat and benefit economies and livelihoods of local communities for generations to come.

### For additional information:

#### Mike Beck

Senior Scientist

Marine Initiative

The Nature Conservancy  
Center for Ocean Health, LML  
100 Shaffer Road  
University of California  
Santa Cruz, CA 95060 USA  
(831) 459-1459  
mbeck@tnc.org

[nature.org/initiatives/marine](http://nature.org/initiatives/marine)

Members of the media, please call  
(703) 841-4220 or write [media@tnc.org](mailto:media@tnc.org)